Construction Advisory

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Contractors' Equipment and Traffic Control

This advisory serves as a reminder to project staff about contractors' equipment in regards to traffic control, legal restrictions, and damage to state trunkline facilities.

Project staff must **not** issue waivers of weight restrictions, licensing, etc. for contractor equipment, vehicles or operators. According to the Michigan State Police's (MSP) Motor Carrier Division, the contractor must follow all weight and other applicable Michigan Vehicle Code requirements in areas open to traffic, including construction zones. Contractors and their equipment are subject to the same rules and regulations as all other vehicles when utilizing an active lane within or adjacent to a construction work zone. The MSP's Motor Carrier Division and local law enforcement agencies will enforce these rules and regulations.

Project staff is to ensure that contractor work zone access locations include proper traffic control and they utilize traffic regulators, where appropriate.

If the contractor or their equipment damages a state trunkline facility

during use, project staff is reminded of Section 103.06 of the 2003 Standard Specifications for Construction, which states in part the following:

The Contractor shall, at the Contractor's expense, make all repairs or renewals required for all damage to highway facilities which is not attributable to normal wear and tear of traffic and weather. but is due to . . . operations of the Contractor, and to work not protected properly from natural causes (except as provided under subsection 107.11).

Furthermore, Section 104.11 of the 2003 Standard Specifications for Construction discusses the limitations for construction equipment on or crossing pavement and structures. A key component of this section of the specifications states in part the following:

Permission to use construction equipment on pavements and structures will not constitute a waiver of applicable provisions of subsection 107.11; nor waive the Contractor's legal responsibility to observe legal weight

restrictions on sections of highway which have been accepted for traffic according to subsection 107.21.

Loads considered overweight are those having maximum gross axle loadings exceeding those permitted under Act 300, of 1949 as amended. Legal load limits, as used herein, are considered those where a vehicle has axle loading in compliance with the provisions of this Act.

Please share this information with consultants in your area. Also, reference this construction advisory for activities permitted within MDOT's right-ofway.